

Robert W. Norman, Jr. (SBN 37094)  
Nicholas A. Reynolds (SBN 44935)  
Houser LLP  
1420 Fifth Ave., Suite 2200  
Seattle, WA 98101  
PH: (206) 596-7838  
FAX: (206) 596-7839

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF WASHINGTON

CHARLES H. WILSON, a married  
individual

Plaintiff,

v.

ROCKET MORTGAGE, LLC, a foreign  
Michigan corporation registered in  
Washington.

Defendant.

Case No.:

Ferry County District Court  
Cause No. (Unassigned-Not Filed)

NOTICE OF REMOVAL OF  
ACTION BY DEFENDANT  
PURSUANT TO 28 U.S.C. §1441

TO: Clerk of the Court

**PLEASE TAKE NOTICE** that Defendant Rocket Mortgage, LLC hereby  
removes to this Court the state court action described below.

**1. State Court Action**

Defendant Rocket Mortgage, LLC is a party in the above-referenced action  
originally commenced on or about January 12, 2023 and pending, although not  
filed, in the District Court of the State of Washington in and for Ferry County.

NOTICE OF REMOVAL OF ACTION BY DEFENDANT

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Due to only being served on Defendant Rocket Mortgage, LLC and not filed with the Ferry County District Court clerk, no identifying cause number has been assigned to this action subject to the instant removal.

## **2. Federal Question Jurisdiction**

Plaintiff Charles Wilson served his Complaint to be brought in the District Court of the State of Washington in and for Ferry County on or about January 12, 2023. He alleges both state and federal claims including the following:

- Violation of 12 U.S.C. Chapter 27 – Real Estate Settlement Procedures Act (“RESPA”). Pltf’s Compl. pg. 8, ¶¶ 5.1-5.7;
- Breach of Contract. Pltf’s Compl. pgs. 7-8, ¶¶ 6.1-6.2;
- Violation of RCW 19.86 *et seq.* – Washington Consumer Protection Act (“CPA”). Pltf’s Compl. pgs. 6-7, ¶¶ 3.1-3.6;
- Plaintiff Wilson further seeks statutory damages and attorney’s fees and costs pursuant to the RESPA and CPA claims as set forth in his Prayer for Relief. Pltf’s Compl. pgs. 8-9, ¶¶ A-E;

Accordingly, this action is removable to federal court under 28 U.S.C. § 1441, as Plaintiff’s claims arise under the Constitution, laws, or treaties of the United States, and this Court would have had original jurisdiction over Plaintiff’s claims under 28 U.S.C. § 1331 and 12 U.S.C. § 2614 had Plaintiff elected to file the action in federal court.

This Court is the District Court of the United States for the District embracing the location where the state court action is currently pending and is therefore the appropriate Court for removal pursuant to 28 U.S.C. § 1441(a).

1 **3. Timely Removal**

2 Defendant Rocket Mortgage, LLC was served on or about January 12,  
3 2023. This Notice of Removal is properly filed within 30 days, excluding the date  
4 of service, after the alleged service of the Summons and Complaint for Damages.  
See 28 U.S.C. § 1446(b).

5 **4. Papers Served on Defendant**

6 Copies of all process, and any pleadings served upon Defendant are  
7 attached as Exhibits to the Certificate of Attorney.

8 WHEREFORE, Defendant prays that the above-entitled action be removed  
9 to this Court from the District Court of the State of Washington in for Ferry  
County.

10 DATED: February 13, 2023

**HOUSER LLP**

11  
12 *s/ Nicholas A. Reynolds*

13 Nicholas A. Reynolds, WSBA No. 44935  
14 nreynolds@houser-law.com  
Attorneys for Defendant Rocket  
Mortgage, LLC

**CERTIFICATE OF SERVICE**

I the undersigned declare as follows: I am over the age of 18 years and am not a party to this action. On February 13, 2023, I served the foregoing document(s): NOTICE OF REMOVAL OF ACTION BY DEFENDANT PURSUANT TO 28 U.S.C. §1441, in the manner described below:

Sarah N. Cuellar

Law Offices of Sarah N. Cuellar, PLLC

665 S. Clark Ave., Unit 2

P.O. Box 904

Republic, WA 99166

*Attorneys for Plaintiff*

☒ U.S. Mail, Postage Prepaid

☐ E-mail/LE-Service

☐ UPS Next Day Air

☐ UPS 2<sup>nd</sup> Day Air

☐ Courier

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: February 13, 2023

*s/ Taylor Ann Jahelka*

Taylor Ann Jahelka